



Fw: Item 31, nuclear waste storage, Nov. 5 agenda

Bruce Gibson to: Catrina Christensen, Annette Ramirez

Sent by: **Cherie Aispuro**

11/04/2013 02:34 PM

fyi

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From: Lucy J Swanson <janeslo@me.com>
To: Adam Hill <ahill@co.slo.ca.us>, Caren Ray <cray@co.slo.ca.us>, Frank Mecham <fmecham@co.slo.ca.us>, Debby Arnold <darnold@co.slo.ca.us>, Bruce Gibson <bgibson@co.slo.ca.us>
Cc: Hannah Miller <hmill@co.slo.ca.us>
Date: 11/04/2013 07:51 AM
Subject: Item 31, nuclear waste storage, Nov. 5 agenda

Dear Supervisors,

Because San Luis Obispo Mothers for Peace (MFP) members will only have three minutes each to address item 31 tomorrow afternoon, we will not have time to adequately explain our reasons for requesting a letter from the entire Board asking the NRC to order PG&E to move the radioactive wastes at Diablo Canyon nuclear plant into dry casks at an accelerated rate. Accordingly, I attach my letter to Supervisors dated September 10. I do not think I got it to you electronically at that time.

Please note that embedded in this letter are live links to information that supports MFP's request. We do not claim to be experts, but we do claim to know who the experts are. We have been studying the issues related to radioactive waste since 1973, when we became legal intervenors. Acting in concert with attorneys and expert witnesses hired by MFP over the decades, we have accumulated much knowledge and perspective on these issues. The attached letter is our effort to share information most relevant to our request of the Board.

I hope that you will have time to review information here before tomorrow's Board meeting.



Supervisors Waste REQUEST.docx

Thank you for your consideration of our request for a letter from the entire Board.

Jane Swanson
spokesperson, San Luis Obispo Mothers for Peace
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September 10, 2013

TO: San Luis Obispo County Board of Supervisors

FROM: Jane Swanson, spokesperson
San Luis Obispo Mothers for Peace
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Linda Seeley, spokesperson
San Luis Obispo Mothers for Peace
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RE: Public Safety related to nuclear waste at Diablo Canyon
nuclear plant

I am here today to present a request of this Board, given its responsibility to protect public safety and property in this county. I am speaking on behalf of San Luis Obispo Mothers for Peace, the citizen organization designated 40 years ago by the Nuclear Regulatory Commission (NRC) as intervenors, meaning our all-volunteer organization has equal legal status with Pacific Gas and Electric Company (PG&E) and with the NRC Staff in matters pertaining to the operations of the Diablo Canyon nuclear plant. The Mothers also speak for many people living and working in the shadow of the two Diablo reactors and the radioactive wastes that have accumulated on the site, surrounded by 13 earthquake faults, since 1984. Their support is expressed when they attend our events, give us donations to support our legal challenges, and “like” us on Facebook.

My topic is the dangers presented by those radioactive wastes. Linda Seeley, also a Spokesperson for Mothers for Peace, and I will verbally summarize the written statement that we will email to the Board later in the day. The written version will provide on-line links to documents from the NRC and the Union of Concerned Scientists that will back up the statements we make at this meeting.

The request is that this Board write a letter requesting that the radioactive fuel currently stored in unprotected pools at Diablo Canyon be moved on an accelerated schedule into dry casks at the Diablo Canyon nuclear plant.

The circumstances that prompt this request are timely and urgent. The Nuclear Regulatory Commission (NRC) is currently revising its Waste Confidence Act. According to the NRC,

“The Waste Confidence Decision and Rule represent the generic determination by the U.S. Nuclear Regulatory Commission (NRC) that spent nuclear fuel can be stored safely and without significant environmental impacts for a period of time after the end of the licensed life of a nuclear power plant.”

As part of this revision the agency is conducting twelve public meetings throughout the nation, one of which will be held in San Luis Obispo on October 7. These meetings are a part of the NRC’s response to a ruling by the U.S. Court of Appeals in D.C., which has required the NRC to study the environmental impacts of storing spent fuel indefinitely in either pools or dry casks. As of yesterday, September 9, the NRC’s Draft Waste Confidence Generic Environmental Impact Statement is online and available for Comment until November 27. See it at <http://pbadupws.nrc.gov/docs/ML1322/ML13224A106.pdf> (It is approximately 580 pages in length.)

The greatest danger to the public posed by the Diablo Canyon nuclear plant is its overcrowded spent fuel pools.

In 1988 the NRC gave the Diablo Canyon plant permission to increase the density of its spent fuel pools by a factor of five. See <http://gao.justia.com/nuclear-regulatory-commission/1988/2/nuclear-waste-rced-88-79fs/RCED-88-79FS-full-report.pdf> This has major safety implications, as the original design of the spent fuel pools deliberately left sufficient space between the spent fuel rods to prevent fires in the event that the borated cooling water was drained from the pools. But under the current conditions, the rods are so close together that in the event that the top 18 inches of the rods lose

cooling water, a fire would be inevitable, and would release radioactive particles into the atmosphere.

If, after a five year cooling period in the pools, the spent fuel rods are moved into dry cask storage, they are much less vulnerable to fire that might lead to a release of radioactive materials. Note that at Fukushima the dry casks continue to function to passively cool the spent fuel contained in them, despite the fact that some of them were flooded by the tsunami of 2011. In contrast, two and a half year after the 9.0 earthquake and tsunami the spent fuel pools that lost their cooling water remain out of control, contaminating the ocean, air, food supply, people and other living beings in northern Japan and beyond. For an overview of the advantages of dry casks over pools, see

http://www.ucsusa.org/nuclear_power/nuclear_power_risk/safety/safe_r-storage-of-spent-fuel.html

The advantages of dry cask storage over pool storage is further documented by a team of experts on the hazards of spent fuel pools which includes the current chair of the Nuclear Regulatory Commission, Allison Macfarlane.

<http://mothersforpeace.org/data/20030122ReducingTheHazards?searchterm=spent+fuel+pools>

Another reason such a letter from this Board would be timely is that a draft nuclear waste management bill is under consideration in the U.S. Senate, but it does not at this time include provisions for more rapid transfer of spent fuel from pools to dry casks.

http://www.ucsusa.org/news/press_release/draft-senate-nuclear-waste-0378.html

In testimony before that Senate Committee, the Union of Concerned Scientists summed up the situation:

“There was another consequence from expanded onsite spent fuel storage. Spent fuel pools initially designed to hold slightly over one reactor core’s inventory of irradiated fuel now hold up to nearly 9 reactor cores of irradiated fuel. Unlike the reactor cores, the spent fuel pools are not protected by redundant

emergency makeup and cooling systems and or housed within robust containment structures having reinforced concrete walls several feet thick. Thus, large amounts of radioactive material – which under the NWPA [National Waste Policy Act] should be stored within a federal repository designed to safely and securely isolate it from the environment for at least 10,000 years – instead remains at the reactor sites.

[Paragraph omitted.]

UCS wants to see the status quo ended by reducing the inventories of irradiated fuel in spent fuel pools. We strongly advocate accelerating the transfer of irradiated fuel from spent fuel pools to dry storage. In our view, currently available and used dry storage technologies can be used to substantially reduce the inventory of irradiated fuel in spent fuel pools, with a goal of limiting it to the equivalent of one or two reactor cores per pool.”

The complete testimony of Union of Concerned Scientists is available at

http://www.energy.senate.gov/public/index.cfm/files/serve?File_id=89dbc888-171c-4f77-8ecf-83a0055fcfb9

The state of California is also urging the transfer of spent fuel to dry casks. The California Energy Commission’s (“CEC”) 2011 Integrated Energy Policy Report stated that

“In light of the accidents and/or plant shutdowns following earthquakes at Fukushima Daiichi (2011), Kashiwazaki-Kariwa (2007), and at the North Anna nuclear plant (August 23, 2011) and other considerations, the Energy Commission, in consultation with the CPUC, recommends the following:

To reduce the volume of spent fuel packed into storage pools, and consequently the radioactive material available for dispersal in the event of an accident or sabotage, PG&E and SCE, as soon as practicable, should transfer spent fuel from pools into dry casks, while maintaining compliance with NRC spent fuel

cask and pool storage requirements and report to the Energy Commission in the 2012 IEPR Update on their progress.”

For full context, see p. 10 of <http://a4nr.org/wp-content/uploads/2013/09/090613-A4NR-Open-Brief-009.pdf>

A letter from this Board urging an accelerated schedule for the transfer of spent fuel to dry casks for reasons of safety and economic security would be appropriate to send to the following:

Nuclear Regulatory Commission

Pacific Gas & Electric Company

Senator Boxer, chairman of the Senate Environment and Public Works Committee

Senator Feinstein, Chairman of the Senate Energy and Water Committee

Congresswoman Lois Capps, Committee on Energy & Commerce, including its subcommittees on Energy and Power, Environment and the Economy, and Health.

California Energy Commission

I also suggest such a letter be cc'd to the following agencies whose responsibilities are impacted by the potential hazards posed by the overcrowded spent fuel pools at Diablo Canyon nuclear plant:

Cal Fire

Office of Emergency Services, County and State levels

California Highway Patrol

This request is not without precedent. Over the years, the Board has send communications to PG&E and to the NRC expressing Board

views on such topics as seismic studies and the timing of PG&E's application for license renewal.

In discussion after Public Comment time, Supervisor Hill offered to write a letter, and Supervisor Arnold suggested the Board should ask PG&E to make a presentation to the Board on the topic of moving spent fuel from the pools to dry casks at the Diablo Canyon nuclear plant.

If the Board does invite PG&E to make such a presentation, MFP would be interested to hear the views of the company on this topic. MFP would also expect to be invited to make its own presentation, being given equal time. Speaking in three minute segments at public comment time is not equivalent to being on the agenda and giving a powerpoint presentation.

A more meaningful opportunity for the Board members to become better informed on this topic would be for the Board members to attend the NRC meeting to be held October 7 at the Marriott Hotel in San Luis Obispo. Details are on the NRC website at <http://pbadupws.nrc.gov/docs/ML1324/ML13248A323.pdf>

Regarding the sending of a letter to the NRC and other entities as listed above, MFP strongly feels that it is the responsibility of this Board to act as a unified whole to make sure that San Luis Obispo is never on the map as "the American Fukushima". A letter from one supervisor does not have the same weight as one from an elected Board of Supervisors.

It is essential a letter from the Board be received by the NRC prior to the close of the NRC's deadline for comment, which is November 27, 2013. See <http://www.nrc.gov/waste/spent-fuel-storage/wcd/pub-involve.html>